

PROCEDURES: WHAT TO DO AFTER COMPLETING ALL FORMS TO REQUEST APPOINTMENT OF PERMANENT GUARDIAN AND CONSERVATOR FOR A MINOR

STEP 1. MAKE COPIES and SEPARATE INTO COMPLETE SETS as follows:

Set 1: <i>Originals</i> for the Clerk of Court, Probate <ul style="list-style-type: none"> • Probate Information Cover Sheet (pb10f) • Petition for Permanent Appointment (pbgcm11f) • Affidavit of Person to be Appointed (pbgc13f) • Consent of Parent (if applicable) (pbgcm13f) • Consent of (other) Parent (if applicable) (pbgcm13f) 	Set 2: Copies for Judicial Officer (deliver <i>at least</i> 5 days before the hearing) <ul style="list-style-type: none"> • Petition for Permanent Appointment • Affidavit of Person to be Appointed • Consent of Parent (if applicable) • Consent of (other) Parent (if applicable)
Set 4 & More: Copies for Persons (or Agencies) to Receive Notice <ul style="list-style-type: none"> • Petition for Permanent Appointment • Affidavit of Person to be Appointed • Consent of Parent (if applicable) • Consent of (other) Parent (if applicable) 	Set 3: Copies for You <ul style="list-style-type: none"> • Petition for Permanent Appointment • Affidavit of Person to be Appointed • Consent of Parent (if applicable) • Consent of (other) Parent (if applicable)

2. TAKE THE ORIGINALS AND ALL SETS OF COPIES TO THE CLERK TO FILE at any of the following Superior Court locations in Maricopa County:

Phoenix:	125 West Washington Street, 1st Floor, Phoenix, Arizona 85003
North Phoenix:	18380 North 40th Street, Phoenix, Arizona 85032
Mesa:	222 East Javelina Avenue, 1st Floor, Mesa, Arizona 85210
Surprise:	14264 West Tierra Buena Lane, Surprise, Arizona 85374

3. PAY YOUR FILING FEE AND FILE.

- A list of current fees is available from the Self Service Center and from the Clerk of Court's website.
- If you cannot afford the filing fee and/or the fee for having the papers served by the Sheriff or by publication, you may request a deferral (payment plan) when you file your papers with the Clerk of the Court. Deferral Applications are available at no charge from the Self-Service Center.

4. **GET YOUR COPIES BACK.** The Clerk will file the originals, **stamp the copies with a case number** to indicate the copies **conform** to (are the same as) original documents filed with the Court, **and return the copies to you.** **NOTE YOUR CASE NUMBER** beginning with “PB” and use it on every paper you file with the court in this matter from now on.

FINGERPRINT REQUIREMENT NOTICE

If the proposed guardian is NOT related to the proposed ward, Arizona law A.R.S. §14-5206 requires the guardian to submit a fingerprint card to the court for use in conducting a criminal background check to help the court determine that person’s suitability to act as a guardian of a minor.

- The card **MUST** be submitted **within 5 days** of filing the Petition.
- There is a fee for processing fingerprint cards.
- The card may **only** be presented to Probate Court Administration at the “Old Court House” location at 125 W. Washington Street in downtown Phoenix.
- **FINGERPRINTING IS NOT REQUIRED IF THE GUARDIAN IS RELATED TO THE WARD.**
- **See Steps 6 and 7** below for more specific information.

5. GET A COURT HEARING DATE:

A. If filing in downtown Phoenix at 125 West Washington, after filing walk a few feet to the right from the filing counter to **Probate Administration** to immediately ask to schedule a hearing, **OR . . .**

B. *If filing at a court location where there is no Calendar Clerk available:*

- WAIT until 2 to 3 days after filing (so Clerk can see information in data system).
- Call 602-506-5510 and tell the clerk you need to schedule a hearing.
- Provide the case number.
- The Clerk will provide *you* with the date, time, and location of the hearing, as well as the name of the Judicial Officer assigned to conduct the hearing.
- **PLEASE WRITE IT DOWN! DON’T LOSE IT!**

OR . . .

C. If filing at a court location where there is no Calendar Clerk available and *you do not want to wait the 2-3 days:*

- **Bring your documents to the downtown Phoenix Probate Administration offices in-person to schedule the hearing.**
- **Present one clerk-stamped (conformed) copy of the following documents to Probate Administration:**

- ❖ **PETITION FOR APPOINTMENT OF GUARDIAN and CONSERVATOR for an Minor** (PBGCM11F),
- ❖ **AFFIDAVIT OF PERSON TO BE APPOINTED** (PBGC13F),
- ❖ **CONSENT OF PARENT** (PBGCM13F) (*if applicable*)
- ❖ **CONSENT OF PARENT** (PBGCM13F) (for **other** parent, *if applicable*)

Probate Admin will then provide you with printed information about the time, date, and location of the hearing, as well as the name of the Judicial Officer assigned.

THIS IS IMPORTANT INFORMATION. *DON'T LOSE THIS DOCUMENT!*

NOTE THE FOLLOWING:

- If the proposed guardian-conservator **is related** to the proposed ward and **Consent(s) of Parents** and/or **Waivers of Notice** are filed for all parents or parties entitled to notice, the hearing may be scheduled for as little as **two weeks** from the date you request the hearing.
- If the proposed guardian-conservator **is related** to the proposed ward, the hearing will be scheduled for approximately **4 weeks** from the date you request a hearing, whether requested by phone or in-person.
- If the proposed guardian-conservator is **NOT related** to the proposed ward, the hearing will be scheduled for **16 weeks** from the date you submit your request, due to the time required for the criminal record check.
- The hearing may be scheduled at a court facility *other than* the one at which the papers were filed.

6. GET YOUR FINGERPRINTS TAKEN:

(Again) Fingerprinting is **only** required for a proposed guardian who is **NOT** related to the proposed ward, and the completed fingerprint card **must** be presented **within 5 days** after a petition for guardianship of a minor is filed.

- A.** You may go to a government / law enforcement agency or private company to have your fingerprints taken, including:
- **Local law enforcement departments.** The Maricopa County Sheriff's Department and **some** local police departments offer this service. Contact your local police department to verify whether they currently offer the service.
 - The **Maricopa County Sheriff's Office's** ID Unit, at 201 West Jefferson Street in Phoenix, (West Court Building, 4th floor) does fingerprinting from 7:30 a.m. - 4:30 p.m. Monday through Friday (except holidays). The fee is **\$8** per card.

- The **Phoenix Police Department** offers fingerprinting service from 8:00 a.m. – 4:00 p.m. Monday through Friday (except holidays). For additional information see the City of Phoenix's web page or call **602-534-1127**.
- **Numerous private companies** offering fingerprinting services can be found in the online or printed yellow pages under "fingerprinting services".

B. Present valid photo identification or your prints will NOT be taken.

C. Tell the person taking your prints that they are for a guardianship of a minor and pay the fee (usually \$8.00-\$20.00). They will take your fingerprints and give you the fingerprint card (usually a white card with blue lines and text) to present to the court.

7. SUBMIT FINGERPRINT CARD TO PROBATE ADMINISTRATION and PAY FEE.

- There is a fee for processing a fingerprint card
- Verify current amount for processing a fingerprint card.
- The card **MUST** be submitted **within 5 days** of filing the Petition.
- The card may **only** be presented to Probate Court Administration at the "Old Court House" location at **125 W. Washington Street** in downtown **Phoenix** (next to the 1st Avenue & Jefferson Street light rail station).

Court Administration will help you complete the **Fingerprint Card** with the following information:

- Court case number, (begins with "**PB**")
- Hearing Date
- Name of the hearing officer
- The phrase "**pursuant to A.R.S. 14-5206**" in the "Reason Fingerprinted" section.

(Do **NOT** complete the "Employer and Address" section.)

8. SERVE NOTICE: Fill out the **Notice of Hearing** form (PBGC18f) with the information about time and place of the hearing that you obtained in Step 5 above, and **SERVE NOTICE** to **everyone** who is legally entitled to know about the court case and what you have asked the Court to order concerning the person to be protected. To "**Serve**" notice means to deliver notice as required or permitted by law.

Persons entitled to notice may sign a notarized **Waiver of Notice** (PBGC19f), which will allow you to **NOT** serve notice to those persons, unless they later file to reverse that waiver.

Notice can (or must) be given in different ways to different persons. READ "INFORMATION ON LEGAL NOTICE" (PBGC20h) in this packet, and see Self-Service Center packet #2, "**Service and Notice of Court Hearing**" for court forms and more detailed information on serving notice.

READ THIS: **AFTER GIVING NOTICE TO ALL INTERESTED PERSONS:**

- Complete the **Declaration of Notice** stating how and when you gave notice.
- Make two (2) copies of the:
 - ☐ **NOTICE OF HEARING**
 - ☐ **WAIVER OF NOTICE** (if any)
 - ☐ **DECLARATION OF NOTICE PROVIDED**
- **If filing *in-person*, do so at least 5 days before the hearing.**
- **If you file** the documents before the hearing, the Clerk will stamp and keep one set, and ***return the copies*** for you to bring with you to the hearing.
- ***If you are MAILING these documents to the Court:***
 - **Make a copy before mailing to keep and bring to the hearing;**
 - It is recommended that you post them **10** full days before the hearing.
 - The Probate Clerk will file the originals for you and deliver the copies to the Judicial Officer assigned to the hearing.
 - **Remember to bring your copies of the documents to the hearing.**

IMPORTANT: Guardians and Conservators must complete court-approved training before permanent appointment! See "Notice Regarding Training Requirements".